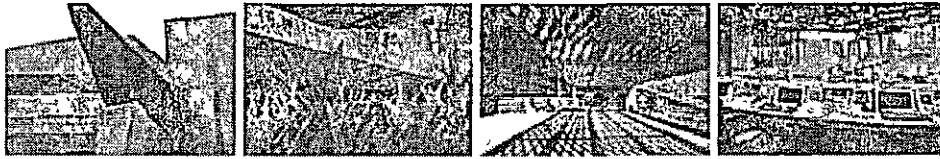


A U S T I N C I T Y C O U N C I L
AGENDA

Thursday, February 01, 2007

 + [Back](#) [Print](#)**Zoning Ordinances / Restrictive Covenants
(HEARINGS CLOSED)
RECOMMENDATION FOR COUNCIL ACTION****ITEM No. 51**

Subject: NPA-05-0021 - East Riverside/Oltorf Neighborhood Plan - Approve third reading of an ordinance amending Ordinance 20061116-055, adopting the East Riverside/Oltorf Combined Neighborhood Plan, to establish a land use designation on the future land use map for the following 12 tracts: 2600, 2600 ½ S. Pleasant Valley Road (Tract 203); 2109-2237 E. Riverside Drive and 1700-1702 Willow Creek Drive (Tract 37); 1701-1713 Burton Drive (Tract 39); 2001 E. Riverside Drive (Tract 43A); 2019, 2021, 2023 E. Riverside Drive (Tract 43B); 1801-1919 E. Riverside Drive (Tract 45); 1805-1909 E. Riverside Drive (Tract 45A); 1905 E. Riverside Drive (Tract 45B), 1605 E. Riverside Drive (Tract 46); 1005, 1007 Summit Street (Tract 47), 1301 S. IH-35 Service Road NB (Tract 49) and, 1301 S. IH-35 Service Road NB (Tract 50). The combined planning area is bounded by IH-35 on the west, Town Lake and the Colorado River on the north, Grove Boulevard and Montopolis Drive on the east and State Highway 71 (Ben White Boulevard East) on the south. First reading approved on October 19, 2006. Vote: 7-0. Second reading approved on November 16, 2006. Vote: 6-0-1 (Kim-abstained). Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen 974-7226

**Additional Backup
Material**

(click to open)

- ☐ [Ordinance](#)
- ☐ [Staff Report](#)

For More Information:

ORDINANCE NO.

AN ORDINANCE AMENDING ORDINANCE NO. 20061116-055, WHICH ADOPTED THE EAST RIVERSIDE/OLTORF COMBINED NEIGHBORHOOD PLAN AS AN ELEMENT OF THE AUSTIN TOMORROW COMPREHENSIVE PLAN, TO ESTABLISH LAND USE DESIGNATIONS ON THE FUTURE LAND USE MAP FOR CERTAIN PROPERTIES.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Ordinance No. 20061116-055 adopted the East Riverside/Oltorf Combined Neighborhood Plan as an element of the Austin Tomorrow Comprehensive Plan.

PART 2. Ordinance No. 20061116-055 is amended to establish land use designations on the future land use map attached as Exhibit "A" and incorporated in this ordinance, and described in Case NPA-05-0021 at the Neighborhood Planning and Zoning Department, for properties within the following address ranges:

<u>Addresses</u>	<u>Land Use Designation</u>
Tract 203 (2600 and 2600 ½ S. Pleasant Valley Road)	Single Family
Tract 37 (2109-2237 E. Riverside Drive and 1700-1702 Willow Creek Drive)	Mixed Use
Tract 39 (1701-1713 Burton Drive)	Mixed Use/Office
Tract 43A (2001 E. Riverside Drive)	Mixed Use
Tract 43B (2019, 2021 and 2023 E. Riverside Drive)	Mixed Use
Tract 45 (1801-1919 E. Riverside Drive)	Mixed Use
Tract 45A (1805-1909 E. Riverside Drive)	Mixed Use
Tract 45B (1905 E. Riverside Drive)	Mixed Use

1
2 Tract 46 (1605 E. Riverside Drive)

Commercial

3
4 Tract 47 (1005 and 1007 Summit Street)

Mixed Use/Office

5
6 Tract 49 (1301 W. IH-35 Service Road NB)

Mixed Use

7
8 Tract 50 (1301 S. IH-35 Service Road NB)

Office

9
10 **PART 3.** This ordinance takes effect on _____, 2007.

11
12 **PASSED AND APPROVED**

13
14
15
16 _____, 2007

§
§
§

Will Wynn
Mayor

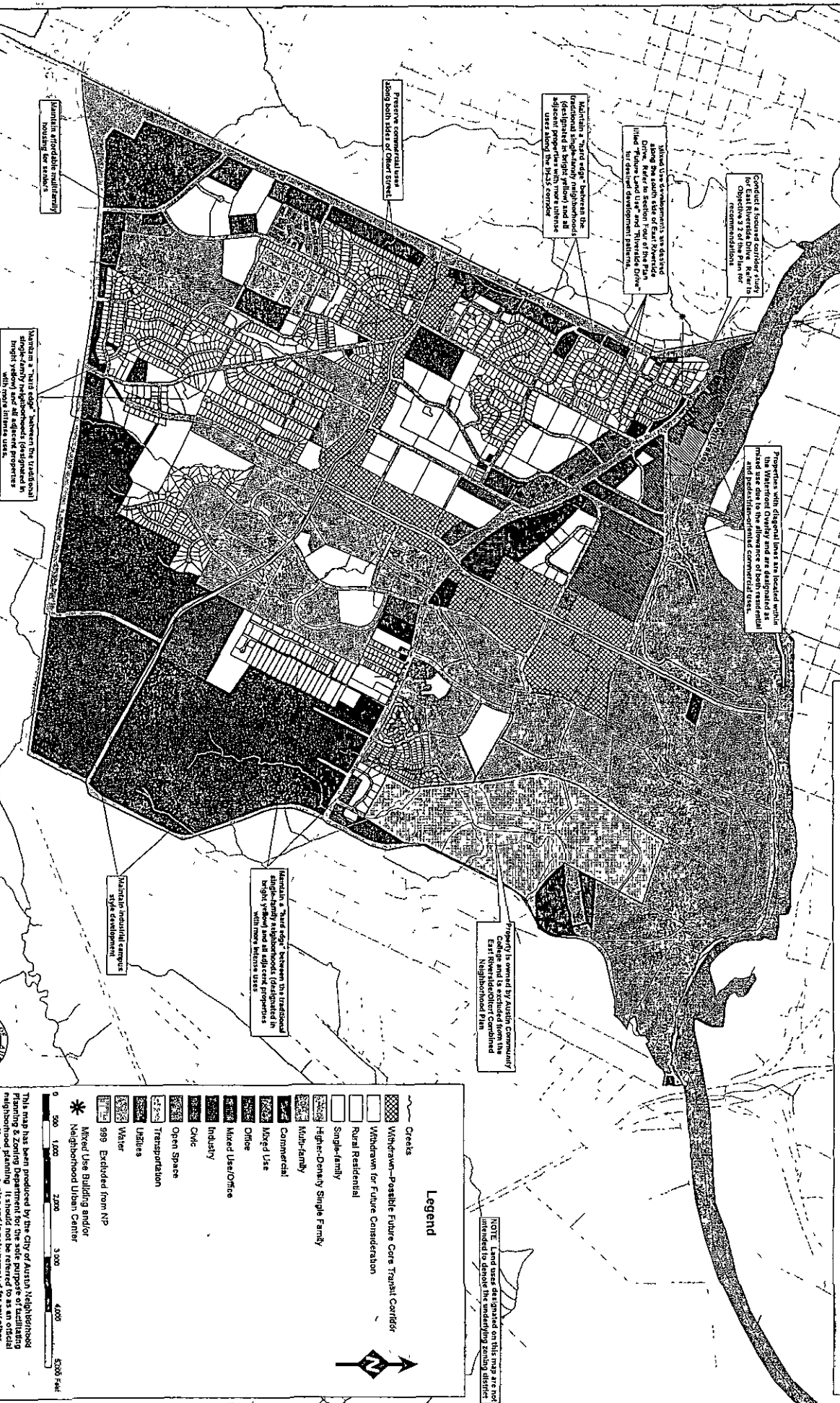
17
18
19
20
21 **APPROVED:** _____

22 David Allan Smith
23 City Attorney
24

ATTEST: _____

Shirley A. Gentry
City Clerk

EAST RIVERSIDE/OLTORF COMBINED NEIGHBORHOOD PLAN **Future Land Use Map - DRAFT** **February 1, 2007 City Council Hearing**



NOTE: Land uses designated on this map are not intended to denote the underlying zoning district.

Legend

- Creeks
- Withdrawn-Possible Future Core Transit Corridor
- Withdrawn for Future Consideration
- Rural Residential
- Single-family
- Higher-Density Single Family
- Multi-family
- Commercial
- Mixed Use
- Office
- Mixed Use/Office
- Industry
- Civic
- Open Space
- Transportation
- Utilities
- 999 Excluded from NIP
- Mixed Use Building and/or Neighborhood Urban Center

0 500 1000 2000 3000 4000 5000 Feet



This map has been produced by the City of Austin Neighborhood Planning and Zoning Department for the sole purpose of facilitating neighborhood planning. It should not be referred to as an official source of land use or zoning and is not warranted for any other use. No warranty is made regarding its accuracy or completeness.

September 14, 2006
 Modified January 22, 2007

Motion Sheet for East Riverside/Oltorf Neighborhood Plan Combining Districts:
 Contested Zoning and Land Use Tracts
 (Agenda Items #)
 February 1, 2007

Tract # & Address	Current Zoning & Use	City Council: 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (6/04 thru 9/05)	Group 2 Recommendations from Advisory Committee (recommendations developed independently after March 2005)	VOTES REQUIRED
Contested Zoning and FLUM: Parker Lane NPA(1)								
203 2600, 2800 1/2 S Pleasant Valley Rd	Undeveloped LR (undeveloped)	Single Family SF-3-NP	Mixed Use LR-MU-CO-NP (prohibit multifamily residential)	Single Family SF-3-NP 1) This is a downzoning from LR and there is enough land outside of the floodplain to construct a single-family residence if desired. SF-3 is compatible with the SF-3 zoning to the south. 2) NPZD has a policy not to rezone floodplains to RR (this causes problems when floodplains change). 3) City's Land Development Code already has restrictions to prevent/limit construction within the floodplain.	Unknown	Single Family SF-3-NP	Commercial LR-NP	3rd Reading = 4 votes

Motion Sheet for East Riverside/Oltorf Neighborhood Plan Combining Districts:

Contested Zoning & Use Tracts

(Agenda Item #)
February 1, 2007

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (804 thru 305)	Group 2 Recommendations from Advisory Committee recommendations developed independently after March 2005)	VOTES REQUIRED
Contested Zoning and Use Tracts: East Riverside NPA (11)								
37 2109-2237 E. Riverside Dr (Burton Terrace Sec 1-A Amenities, lots 4 and 5, and Riverside Drive Plaza Joint Venture, lots 8-9, except for the 10, 012 SF tract of land out of lot 9 as described in Tract 38), 1700-1702 Millow Creek Dr (Riverside Drive Plaza Joint Venture Lots 10-11)	Commercial LO, GR, CS, CS-1 (restaurant, pawn shop, car wash and other various retail)	Mixed Use GR-NP w/ MUB and NUC	Mixed Use GR-NP w/ MUB and NUC	Mixed Use GR-NP w/ MUB and NUC Staff recommendation will provide a zoning pattern that leads to greater consistency of the types of uses and development standards in which the site can be developed. The proposed rezoning will accommodate the current uses as well as reduce the amount of CS-1 on the tract.	Unknown	Mixed Use GR-MU-CO-NP w/ MUB and NUC (prohibit multifamily residential uses)	Office & Commercial LO-NP, GR-NP, CS-NP, CS-1-NP with MUB and NUC	3rd Reading = 4 votes
39 1701, 1703, 1705, 1707, 1709, 1711, 1713 Burton Dr	Single Family LO (duplexes)	Mixed Use/Office LO-MU-CO-NP (prohibit multifamily residential)	Mixed Use/Office LO-MU-NP	Mixed Use/Office LO-MU-NP Staff recommendation to add the MU will bring the property into conformance (existing duplexes with office zoning)	Unknown	Mixed Use/Office LO-MU-NP	Office LO-MU-CO-NP (prohibit multifamily residential)	3rd Reading = 4 votes
43A 2001 E. Riverside Drive	Commercial LR (gas station)	Mixed Use CS-NP w/MUB and NUC	Mixed Use LR-NP w/ MUB and NUC	Mixed Use LR-NP w/ MUB and NUC	Agents Nikelle Meade and Andrew Martin Mixed Use CS-NP w/MUB and NUC	Mixed Use GR-NP w/ MUB and NUC	Commercial (with a notation on the FLUM referencing special use options) LR-NP w/ MUB & NUC	3rd Reading = 4 votes

**Motion Sheet for East Riverside/Oltorf Neighborhood Plan Combining Districts:
Contested Zoning and Land Use Tracts
(Agenda Items #)
February 1, 2007**

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (8/03 thru 3/05)	Group 2 Recommendations (Members from Advisory Committee recommendations developed independently after March 2005)	VOTES REQUIRED
<p>43B (originally part of Tract 43; tract was split after 11- 16-06 hearing) 2019, 2021, 2023 E. Riverside Drive **Need to discuss conditions**</p>	Commercial GR	<p>Mixed Use CS-MUB-CO-NP</p> <p><i>Conditions for the combined Tracts 41, 43, and 44 include</i> 1) maximum FAR of 1.8 1 2) limited to GR site development standards 3) minimum of 10% open space 4) minimum of 10% of the development's gross floor area shall be used for commercial 5) minimum of 25% of the development's gross floor area shall be used for residential uses, of which 30% shall be townhouses or condominiums **also recommended a private restrictive covenant between the developer and the neighborhood to cap the number of rental units to 300</p>	<p>Mixed Use CS-MUB-CO-NP</p> <p><i>Conditions for the combined Tracts 41, 43, and 44 include</i> 1) maximum FAR of 1.8 1 2) maximum impervious cover of 85% 3) limited to GR site development standards 4) minimum of 10% open space 5) minimum of 10% of the development's gross floor area shall be used for commercial 6) minimum of 25% of the development's gross floor area shall be used for residential of which 30% shall be townhouses or condominiums 7) limit height of buildings along E. Riverside Drive to 3 stories or 40 feet within 100 feet of the roadway **also recommended a private restrictive covenant between the developer and the neighborhood to cap the number of rental units to 200</p>	<p>Mixed Use GR-NP, CS-NP w/ MUB and NUC</p>	Unknown	GR-NP w/ MUB and NUC	<p>Commercial (with a notation on the FLUM referencing special use options) GR-NP, CS-NP w/ MUB and NUC</p>	3rd Reading = 4 votes

**Motion Sheet for East Riverside/Olton Neighborhood Plan Combining Districts:
Contested Zoning and Use Tracts
(Agenda Items #)
February 1, 2007**

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (6/04 thru 3/05)	Group 2 Recommendations (Members from Advisory Committee developed independently after March 2005)	VOTES REQUIRED
45 1801-1919 E. Riverside Dr (Lot B River Hills Addition) except for the portion described in Tract 45A & Tract 45B	<i>Commercial</i> LR, GR, GR-CO, CS, CS-1 (retail uses)	<i>Mixed Use</i> GR-NP w/ MUB and NUC	<i>Mixed Use</i> GR-NP w/ MUB and NUC	<i>Mixed Use</i> GR-NP w/ MUB and NUC Staff recommendation will provide a zoning pattern that leads to greater consistency of the types of uses and development standards in which the site can be developed. The proposed rezoning will accommodate the current uses as well as reduce the amount of CS 1 on the tract.	Agents: Alison Gardner and Andrew Martin Property owner supports the rezoning to GR-NP w/ MUB and NUC with the rearrangement of CS-1 Prospective developer of a portion of the site supports GR	<i>Mixed Use</i> GR-NP w/ MUB and NUC	<i>Commercial</i> (with a notation on the FLUM referencing special use options) LR-NP, GR-CO-NP, GR-NP, CS-NP, CS-1-NP w/ MUB & NUC	3rd Reading = 4 votes
45A 1805-1909 E. Riverside Dr 1527 SF tract of land out of the Santiago Del Valle Grant, same being a portion of Tract B, River Hills Addition)	<i>Commercial</i> CS-1 (Club Latino)	<i>Mixed Use</i> CS-1-NP w/ MUB and NUC 10-19-06, motion to approve existing CS-1 zoning footprint of 6,490 SF 11-16-06, motion to approve existing building footprint of 7,627 SF	<i>Mixed Use</i> CS-1-NP w/ MUB and NUC	<i>Mixed Use</i> CS-1-NP w/ MUB and NUC (support expanding the CS-1 to coincide with the existing use of 7,699 SF--will make the entire use conforming)	Agents: Alison Gardner and Andrew Martin Property owner supports CS-1-NP w/ MUB and NUC	<i>Mixed Use</i> GR-NP w/ MUB and NUC	<i>Commercial</i> (with a notation on the FLUM referencing special use options) CS-1-NP w/ MUB & NUC (do not support expanding the CS-1 beyond 6,490 SF)	3rd Reading = 4 votes

**Motion Sheet for East Riverside/Oltorf Neighborhood Plan Combining Districts:
Contested Zoning and Land Use Tracts
(Agenda Items #)
February 1, 2007**

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (8/04 thru 3/05)	Group 2 Recommendations (Members from Advisory Committee recommendations developed independently after March 2005)	VOTES REQUIRED
45B 1905 E. Riverside Dr. (1,877 square foot tract of land out of Santiago Del Valle Grant, a portion of Tract B, River Hills Addition)	Commercial LR (retail use)	Mixed Use CS-NP w/MUB and NUC	Mixed Use CS-1-NP w/ MUB and NUC	Mixed Use CS-1-NP w/MUB and NUC Proposal as submitted by property owner consolidates CS 1 footprint and ultimate redirection of CS-1 on Tract 45	Agents: Alison Gardner and Andrew Martin Property owner supports CS-1-NP w/ MUB & NUC	Mixed Use Discussed as part of Tract 45	Commercial (with a notation on the FLUM referencing special use options) LR w/ MUB and NUC	3rd Reading = 4 votes
46 1603 E. Riverside Drive	Commercial CS (The Bazaar)	Commercial GR-NP	Mixed Use GR-MU-CO-NP (prohibit multifamily)	Commercial GR-NP Staff recommendation accommodates current use and is consistent with the zoning pattern along Riverside Drive which is existing and proposed GR	Unknown	Commercial No clear majority, LO-NP and GR-NP were discussed	Commercial GR-NP	3rd Reading = 4 votes

**Motion Sheet for East Riverside/Oltorf Neighborhood Plan Combining Districts:
Contested Zoning () and UseTracts
(Agenda Items #)
February 1, 2007**

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (1-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (8/04 thru 3/05)	Group 2 Recommendations (Members from Advisory Committee developed independently after March 2005)	VOTES REQUIRED
47 1005 (Lot 3 Lees N24th Av Thomas & Burch Subdivision), 1007 Summit St.	Single Family SF-3 (SF home)	Mixed Use/Office LO-MU-CO-NP w/ MUB (prohibit multifamily residential)	Mixed Use/Office LO-MU-CO-NP w/ MUB (prohibit multifamily residential)	Mixed Use/Office LO-MU-CO-NP w/ MUB (prohibit multifamily residential)	Property owner supports LO-MU-CO-NP w/MUB (prohibit multifamily residential)	Single Family SF-3-NP, neighbors are willing to work with owners to discuss different options	Single Family SF-3-NP	3rd Reading = 4 votes Petition submitted by neighborhood is NOT VALID
49 1301 S. 1-35 Svc Road NB (Lot 3-A, Parcel of Lot 3, Parkinson Lbse Subdivision and Lot 12 Block 10 Bellevue Park save and except the portion described in Tract 50)	Office LR (office building)	Mixed Use LR-MU-CO-NP (any redevelopment shall be no closer to the eastern property line than the current buildings)	Mixed Use LR-MU-CO-NP (any redevelopment shall be no closer than current buildings)	Office LO-NP Zoning matches current office use on property	Agent Jeff Howard Property owner opposed to downzoning, requests LR-MU, NP	Office LO-NP	Office LO-NP	Valid Petition = 6 votes VALID petition submitted by property owner against any rezoning other than LR or GR Petition submitted by neighborhood is NOT VALID

**Motion Sheet for East Riverside/Olort Neighborhood Plan Combining Districts:
Contested Zoning and Land Use Tracts
(Agenda Items #)
February 1, 2007**

Tract # & Address	Current Zoning & Use	City Council 1st Reading (10-19-06) 2nd Reading (11-16-06)	Planning Commission Recommendation (6-13-06 Hearing)	Staff Recommendation	Property Owner/Prospective Developer Recommendation	Group 1 Recommendations from Neighborhood Planning Meetings (6/04 thru 3/05)	Group 2 Recommendations Members from Advisory Committee recommendations developed independently after March 2005)	VOTES REQUIRED
50 1301 S. 114 th St Svc Road NB (a 0.2 acre tract, more or less, out of Lot 3-4, Resub of Lot 3 Parkinson Laia Subdivision and Lot 12 Block 10 Baitove Park, comprised of the E 50 feet west of and parallel to the western property line of Lot 11, Block 10, Baitove Park Subdivision)	Office SF-3 (parking lot for office building)	Office LO-CO-NP (limit height to 12 ft and prohibit access to Lupine)	Office LO-CO-NP (limit height to 12 ft and prohibit access to Lupine)	Office LO-CO-NP (limit height to 12 ft and prohibit access to Lupine) Zoning is consistent with the the proposed zoning for office building (Tract 49). The proposed CO minimizes the impact on a currently constructed parking lot on adjacent single family residences	Agent Jeff Howard Property owner supports staff recommendation of LO-CO- NP	Single Family SF-3-NP	Single Family SF-3-NP	3rd Reading = 4 votes Petition submitted by neighborhood is NOT VALID